



6-6-05

2822
\$cc

EXPRESS MAIL LABEL NO.: EV 657811515 US

PATENT APPLICATION
Docket No.: 15436.436.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
)
	Ralph H. Johnson)
)
Serial No.:	10/026,019) Art Unit
) 2828
Filed:	December 20, 2001)
)
Confirmation No.:	6105)
)
For:	VERTICAL CAVITY SURFACE)
	EMITTING LASER INCLUDING)
	INDIUM AND NITROGEN IN THE)
	ACTIVE REGION)
)
Examiner:	Dung T. Nguyen)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is

06/08/2005 AWONDAF1 00000075 10026019

01 FC:1806

180.00 OP

made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of the references listed in the accompanying Form PTO-1449 or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Submission Fee
Under 37 C.F.R. § 1.97(c)

In accordance with 37 C.F.R. § 1.97(c), Credit Card Payment Form PTO-2038 payable in the amount of \$180.00 to cover the submission fee is enclosed to secure consideration of the references submitted with this Supplemental Information Disclosure

Statement. Please credit any over payment or charge any additional fees to Deposit Account

No. 23-3178 of the undersigned.

Dated this 3RD day of June, 2005.

Respectfully submitted,



Peter F. Malen, Jr.
Attorney for Applicant
Registration No. 45,576
Customer No. 022913
Telephone No. 801-533-9800

PFM/gm
GPM0000001212V001

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Ralph H. Johnson**

Docket No.

15436.436.3

Application No.

10/026,019

Filing Date

December 20, 2001

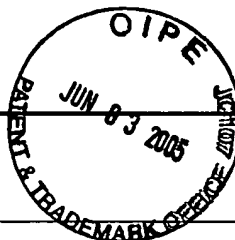
Examiner

Dung T. Nguyen

Customer No.

022913

Group Art Unit

2828Invention: **VERTICAL CAVITY SURFACE EMITTING LASER INCLUDING INDIUM AND NITROGEN IN THE ACTIVE REGION**

I hereby certify that the following correspondence:

Supplemental Information Disclosure Statement (3 pgs); Form PTO 1449 (1 pg); Transmittal Letter (2 pgs in duplicate); English Translation of ROC Patent Publication No. 332930; Credit Card Payment Form; and Postcard*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 3 2005
(Date)

Gina Meredith*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EV 657811515 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
15436.436.3

In Re Application Of: **Ralph H. Johnson**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/026,019	December 20, 2001	Dung T. Nguyen	022913	2828	6105

Title: **VERTICAL CAVITY SURFACE EMITTING LASER INCLUDING INDIUM AND NITROGEN IN THE ACTIVE REGION**



Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☒ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
15436.436.3

In Re Application: Ralph H. Johnson



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/026,019	December 20, 2001	Dung T. Nguyen	022913	2828	6105

Title: VERTICAL CAVITY SURFACE EMITTING LASER INCLUDING INDIUM AND NITROGEN IN THE ACTIVE REGION

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☒ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**Certificate of Transmission by Facsimile***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____)

(Date) _____

Signature _____

Typed or Printed Name of Person Signing Certificate _____

Certificate of Mailing by First Class Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____

(Date) _____

Signature of Person Mailing Correspondence _____

Typed or Printed Name of Person Mailing Certificate _____

***This certificate may only be used if paying by deposit account.**
SignatureDated: June 3, 2005

Peter F. Malen, Jr.
Attorney for Applicant
Reg. No. 45,576
Telephone No. 801-533-9800

CC:

Applicant: Ralph H. Johnson
Serial No.: 10/026,019
Filing Date: December 20, 2001
For: VERTICAL CAVITY SURFACE EMITTING LASER INCLUDING
INDIUM AND NITROGEN IN THE ACTIVE REGION

Att'y Docket No.: 15436.436.3
Group: 2828

SUPPLEMENTAL INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Filing Date</u>	<u>Country or Patent Office</u>
____ 1	332930	06/06/97	ROC

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

GPM0000001211V001

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.